

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 15, 2018

COURTNEY HUDSON GOODSON, JUSTICE

[CV-18-135](#). Michael E. Rea v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant's pro se motion for extension of time to file brief and pro se motion to file belated brief. Remanded for additional findings of fact.

RHONDA K. WOOD, JUSTICE

[CR-96-1272](#). Everett Foreman v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Petition denied.

[CV-18-289](#). Denver W. Mitchell v. State of Arkansas, from Lee County Circuit Court. Affirmed; motion moot.

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PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CR-17-889. Brad Hunter Smith v. State of Arkansas, from Cleveland County Circuit Court. Special Justice Russell Meeks agrees. Hart, J., would grant. Wynne, J., not participating.

CR-00-1382. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court. Motion of David L. Eanes, Jr., Assistant Attorney General, to substitute counsel of record for appellee is granted.

CR-17-120. Morris Dean Davis v. State of Arkansas, from Boone County Circuit Court. Motion of Brooke Jackson Gasaway, Assistant Attorney General, to substitute counsel of record for appellee is granted.

CR-17-863. Michael James Friday v. State of Arkansas, from Little River County Circuit Court. Motion of Rebecca Kane, Assistant Attorney General, to substitute counsel of record for appellee is granted.

CR-18-275. Tonisha Mitchell v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Kathryn Henry, Assistant Attorney General, to withdraw as counsel of record for appellee is granted.

CR-18-707. Rodney Wayne Rayburn v. State of Arkansas, from Cleburne County Circuit Court. Appellant's unopposed petition for writ of certiorari to complete the record is granted.

CR-18-781. Charles Forrest Silmon v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Karen Virginia Wallace, Assistant Attorney General, to substitute counsel of record for appellee is granted.

CR-18-810. Ke'Ondra Chestang v. The Honorable David Talley, Circuit Judge, from Columbia County Circuit Court. Respondent's motion to supplement the record is granted.

CR-18-816. Derrick Dixon v. State of Arkansas, from Union County Circuit Court. Motion of Daren J. Nelson to withdraw as attorney on direct appeal is granted.

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CR-18-845. Karl D. Roberts v. State of Arkansas, from Polk County Circuit Court. Motion of April Golden for entry of appearance on behalf of appellant is granted.

CR-18-859. Emmitt Riley v. State of Arkansas, from Drew County Circuit Court. Petitioner's petition to proceed in forma pauperis and request for appointment of counsel is granted.

CV-17-913. Jack Gordon Greene v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Motion of Karen Virginia Wallace, Assistant Attorney General, to substitute counsel of record for appellee is granted.

CV-18-136. Jeff Crow, Individually and as Director of Arkansas Game and Fish Commission; and Arkansas Game and Fish Commission, an Agency of the State of Arkansas v. Greg Heslep and Keith Heslep, from Pulaski County Circuit Court, Second Division. Appellees' motion to dismiss cross-appeal is granted. Special Justice Doug Schrantz agrees. Goodson, J., not participating.

CV-18-245. Ben Grimes, Jr. v. State of Arkansas, from Lee County Circuit Court. Motion of Brad Newman, Assistant Attorney General, to substitute counsel of record for appellee is granted.

CV-18-832. Lambert and Lambert Investors, Inc., and Glendon Lambert v. Craig Harris and Tabitha Harris, Individually and as Class Representatives on Behalf of All Others Similarly Situated, from Desha County Circuit Court. Appellants' motion for rule on clerk is denied. Baker, J., would grant.

CV-18-851. John Vancuren and Infinity Towing and Recovery, Inc. v. Great Southern Bank, from Washington County Circuit Court. Appellee's motion to dismiss appeal is granted.

CV-18-851. John Vancuren and Infinity Towing and Recovery, Inc. v. Great Southern Bank, from Washington County Circuit Court. Appellee's motion to supplement the record is granted. Hart, J., would moot.

D-18-881. In Re Christopher Robert Hart, Arkansas Bar No. 2003084, from the Arkansas Supreme Court Committee on Professional Conduct. Petition of Christopher Robert Hart, Arkansas Bar No. 2003084, to surrender Arkansas law license is granted.

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CR-18-476. Jason Michael Hoyle v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant’s pro se motion for extension of time to file brief is granted.

CV-18-376. Dolandon V. Mack v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellee’s motion to dismiss appeal for failure to prosecute is granted.

In the Matter of the Appointment of a Special Judge. See [per curiam](#) this date.

The Honorable W.H. “Dub” Arnold shall be appointed as a special judge, and he shall be given authority for the express purpose of swearing in newly elected Circuit Judge Christopher Alan Blake Batson of the Ninth East Judicial Circuit on January 1, 2019.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR-18-437. James Edward Whitney v. State of Arkansas, from Washington County Circuit Court.

CR-17-889. Brad Hunter Smith v. State of Arkansas, from Cleveland County Circuit Court. Appellant's motion to stay issuance of the mandate.

CR-17-988. Rodolfo A. Martinez v. State of Arkansas, from Washington County Circuit Court. Appellee's motion to supplement the record and for an extension of brief time.

CR-18-685. Broderick Don Scott v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellee's motion to supplement the record.

CR-18-900. Corey D. Perkins v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Motion of Paul D. Groce to withdraw for necessary cause if so ordered by this Honorable Court.

CV-17-500. Arkansas Department of Human Services, Erica Eneks, and Tony Huffman v. Tegan Renee Dowdy and Minor Children, from Crawford County Circuit Court. Motion of David Sterling for entry of appearance and substitution of counsel.

CV-18-617. Arkansas Department of Human Services v. Bradley Ledgerwood, Louella Jones, Peggy Sanders, Marcus Strope, Winnie Winston, Dana Wolf, and Michael Yarra, from Pulaski County Circuit Court, Fifth Division. Appellees' motion for joint consideration of pending appeals.

CV-18-639. Arkansas Department of Human Services v. Bradley Ledgerwood, Louella Jones, Peggy Sanders, Marcus Strope, Winnie Winston, Dana Wolf, and Michael Yarra, from Pulaski County Circuit Court, Fifth Division. Appellees' motion for joint consideration of pending appeals.

CV-18-864. Randa Snyder v. Arkansas Department of Human Services, Division of Medical Services, Office of Long-Term Care, from Pulaski County Circuit Court, Second Division. Appellee's motion to withdraw response to petition for review and to file an amended response.

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MOTIONS SUBMITTED

CV-18-877. Jim Tasse and Scarla Tasse v. Jude Ault, from Conway County Circuit Court. Appellants' motion on clerk to accept record lodged on appeal or, in the alternative, motion to extend time to lodge the record.

CV-18-884. George Hunter and Joan Hunter v. Diamante, a Private Membership Golf Club, LLC, from Saline County Circuit Court. Appellant's motion to allow submission of petition for review.

CV-18-906. Jerroderick Aaron v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion requesting permission to file a belated petition for review.

CR-11-227. Leon Jackson Rice, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se second petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CR-11-227. Leon Jackson Rice, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se motion to rule on pro se second petition for writ of error coram nobis.

CR-18-341. Kenneth Ray Pitts v. Wendy Kelley, Director, Arkansas Department of Correction, from Pulaski County Circuit Court, Sixth Division. Appellee's motion to dismiss appeal.

CR-18-694. Ralph Malone v. Hon. Barry Sims, Circuit Judge, from Pulaski County Circuit Court, Seventh Division. Petitioner's pro se petition for writ of mandamus.

CV-18-392. James E. Whitney v. Washington County, Arkansas; Washington County, Arkansas, Sheriff's Office; and Sheriff Tim Helder, Sgt. Kenneth Albright, Detective Yvette Schrock, Detective Steven Hulsey, Deputy Melancon, Deputy Hammersla, and Cpl. Bruce Strain, Individually, from Lincoln County Circuit Court. Appellant's pro se notice and advisement (motion to file nonconforming brief).

CV-18-396. James E. Whitney v. Mr. Jenkins, Donald Compton, Randall Watson, and Rory L. Griffin, from Lincoln County Circuit Court. Appellant's pro se notice and advisement (motion to file nonconforming brief).

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MOTIONS SUBMITTED

CV-18-398. James E. Whitney v. Ms. V. Allen, Ms. D. Boreani, Ms. D. Ross, Dexter Payne, and Randall Watson, from Lincoln County Circuit Court. Appellant's pro se notice and advisement (motion to file nonconforming brief).

CV-18-405. James E. Whitney v. Jamie Cruce, Donald Compton, Claudia Harris, Keith Waddle, Randall Watson, Raymond Naylor, and Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant's pro se notice and advisement (motion to file nonconforming brief).

CV-18-407. James E. Whitney v. Carolyn Wallace, from Lincoln County Circuit Court. Appellant's pro se notice and advisement (motion to file nonconforming brief).

CV-18-422. Benjamin Franklin Pierce v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellee's motion to dismiss for failure to prosecute.

CV-18-446. Kenneth Stuart v. State of Arkansas, from Hempstead County Circuit Court. Appellant's pro se motion for belated appeal.

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CASES SUBMITTED

CR-00-1382. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court.

CR-17-940. Vernon Robinson v. State of Arkansas, from Ashley County Circuit Court.

CR-18-15. Chris Anthony Arnold v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-18-177. Mo Shay v. State of Arkansas, from Johnson County Circuit Court.

CV-17-830. Dena Wilson v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division.

CV-18-264. Dereck Pelletier v. Wendy Kelley, Director, Arkansas Department of Correction; and Greg Harmon, Warden of East Arkansas Regional Unit, from Lee County Circuit Court.

CR-18-134. Jimmy Scherrer v. State of Arkansas, from Desha County Circuit Court.

CV-18-270. Dolandon V. Mack v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court.

CV-18-279. Henry Timmons v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court.

Opinions are available on the internet at

<http://arcourts.gov>